REMARKS

Claims 1–30 were originally filed, and claims 1–6 and 8–16 were cancelled in a Preliminary Amendment filed with the application. Claims 7 and 17–30 are now pending in the application.

Claims 7 and 17–30 were rejected. Reconsideration and allowance of claims 7 and 17–30 is respectfully requested in view of the above amendments and the following remarks.

Amendments to the Specification

Paragraphs 1 and 2 of the specification have been amended to update the status of pending applications, as requested. No new matter has been added.

Amendments to the Claims

Claim 19 has been amended to correct a punctuation error. The amendment is not for any reason related to patentability, and no new matter has been added.

The Information Disclosure Statements:

The information disclosure statements (8) previously filed on February 15, 2002; May 31, 2002; April 4, 2003; April 7, 2003; two on May 31, 2003; August 2, 2004; and January 25, 2005 have not yet been considered. The Applicant respectfully requests that the previously filed information disclosure statements be considered.

In response to the request to a discussion of the prior art deemed most relevant to the elected invention of Group X, the Applicant notes that the Duty of Candor, under 37 C.F.R. § 1.56, does not impose a duty to discuss the most relevant prior art. The Applicant respectfully declines to do so.

The Rejection of Claims 7 and 17–30:

Claims 7 and 17–30 were rejected under 35 U.S.C. § 103 as being unpatentable over U.S. Patent No. 5,180,010 issued to Stout, *et al.* ("Stout '010"). The Applicant respectfully traverses this rejection because Stout '010 does not teach or suggest all of the limitations recited in the claims.

Specifically, claim 7 recites a method of controlling the flow of fluidic materials within a tubular housing that defines an inlet passage and one or more outlet passages comprising injecting the fluidic materials into the inlet passage, blocking the inlet passage, and opening an outlet passage.

Stout '010 discloses a multiple acting lock for a gravel pack system. Figure 4A of Stout '010 was specifically cited in the rejection, as well as the description in column 5, which the Applicant notes relates to Figures 1 and 2, not Figure 4A.

Figures 1 and 2 of Stout '010 disclose a conventional gravel pack system (Col. 4, ll. 48–49). The packer (30) is set by applying hydraulic pressure in the center section of the tubing (26), which will drive the setting piston (22) downwardly and shear any shearing screws that may prevent the longitudinal movement of the settings sleeve (28). The setting sleeve (28) is pushed down on the packer (30), which sets the packer by extending the teeth (34) on the packer (30) to bite into the casing (14). In order to buildup the hydraulic pressure in the center section of the tubing (26), a ball (38) is dropped onto seat (40), thereby allowing the buildup of hydraulic pressure in the center section of the tubing (26). (Col. 4, l. 66–col. 5, l. 8).

The description of the process of setting a packer, as shown in Figures 4A and 4B of Stout '010, begins in column 7 at line 63. The specification summarizes the process as follows:

> Thus, at one predetermined level of hydraulic pressure in tubing chamber **26**, locking cylinder **90** will slide down disengaging the setting sleeve lock and the rotational lock, and as a second higher predetermined level of hydraulic pressure annular setting piston **22** will set packer **30**.
> [Col. 8, ll. 29–34.]

At the same time that the locking cylinder (90) moves downwardly, the

projections (94) are moved out of the slots (100), which disengages the rotational lock of the lower mandrel (68) with the no-go sleeve (70). As the work string is rotated, the left-hand square thread (18) will become disengaged, and the service tool assembly may move relative to the gravel pack tool (10). (Col. 8, ll. 43–58).

Stout '010 at least does not teach or suggest opening an outlet passage, and, thus, independent claim 7 is allowable over Stout '010. Dependent claims 17–29 are allowable for at least the same reasons. Accordingly, withdrawal of the rejection is respectfully requested.

Independent claim 30 recites, among other limitations, that if the detected operating pressure of the injected fluidic materials exceeds about 500 to 3,000 psi, then displacing valve members positioned within corresponding longitudinal valve chambers defined in the tubular housing to thereby permit fluidic materials within the inlet passage to be conveyed radially out of the tubular housing through a plurality of outlet passages. Stout '010 at least does not teach or suggest permitting fluidic materials to be conveyed through a plurality of outlet passages. Thus, claim 30 is allowable over Stout '010, and withdrawal of the rejection is respectfully requested.

Conclusion

In view of the foregoing amendments and remarks, it is respectfully submitted that the pending claims are drawn to novel subject matter, patentably distinguishable over the prior art of record. The Examiner is therefore respectfully requested to reconsider and allow the claims presented for reconsideration herein. To the extent that the present amendment results in additional fees, the Applicant authorizes the Commissioner to charge deposit account no. 08-1394.

Should the Examiner deem that any further amendment is desirable to place this application in condition for allowance, the Examiner is invited to telephone the undersigned at the below listed telephone number.

Respectfully submitted,

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Dated: 8/4/05

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H-563086_1.DOC

This paper and fee are being deposited with the U.S. Postal Service Express Mail Post Office to Addressee service under 37 CFR §1.10 on the date indicated above and is addressed to: Mail Stop Fee Amendment, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on August 4, 2005

Stacy Lanier
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